

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:22-CR-00222-RJC-SCR

USA

v.

KYREE JAMAYL CORBETT

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ORDER

THIS MATTER is before the Court upon motion of the defendant pro se for a reduction of sentence based on Amendment 821 to the United States Sentencing Guidelines. (Doc. No. 56).

The defendant filed a notice of appeal challenging the final Judgment. (Doc. No. 40 at 1). Accordingly, the Court does not have jurisdiction to grant a reduction of that sentence. Fed. R. App. P. 4(b)(5); see also Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58, (1982) (“The filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.”). Therefore, the Court will deny the motion. Fed. R. Crim. P. 37(a)(2).

IT IS, THEREFORE, ORDERED that the defendant’s motion, (Doc. No. 56), is **DENIED** without prejudice.

The Clerk is directed to certify copies of this Order to the defendant and the United States Attorney.

Signed: August 7, 2024



Robert J. Conrad, Jr.
United States District Judge

